

REMARKS

INTRODUCTION

The Office Action allowed Claims 8-12, 14, 16 and 18-30 and rejected Claims 1-6, 13, 15 and 17.

Claims 1-3, 5, 13, 15 and 17 are canceled; Claims 4, 6, 8, 14, 16 and 18 are amended; and Claims 31-44 are added. Hence, Claims 4, 6, 8-12, 14, 16 and 18-44 are presently pending in the application.

REJECTIONS BASED ON PRIOR ART

Rejections under 35 U.S.C. §103(a)

In paragraph 3 of the Office Action, Claims 1-6, 13, 15 and 17 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Kavanagh et al. (“Kavanagh”; U.S. Patent No. 5,742,813) in view of Soltis et al. (“Soltis”; U.S. Patent No. 6,493,804). Claims 1-3, 5, 13, 15 and 17 are canceled and Claims 4 and 6 are amended to depend from allowed Claim 8.

Therefore, the previous rejection is now moot.

CLAIM AMENDMENTS

Claims 4 and 6 formerly depended from Claim 1, which is canceled. Therefore, Claims 4 and 6 are amended to depend from Claim 8. Claims 8, 14 and 16 are amended to correct clerical errors.

New Claims

New Claims 31-44 are added. Claims 31-33 depend from Claim 14; Claims 34 and 35 depend from Claim 16; and Claim 36 depends from Claim 18; with each reciting similar limitations as recited in Claims 4 or 6, however, in different claim formats. New Claims 37-44

recite subject matter that is described in the specification as filed. Therefore, no new matter is introduced into the application by way of these new claims.

Specifically, Claim 37 recites:

receiving a request for access to a particular resource to make an update to the resource;

generating a **lock** associated with the particular resource, wherein the lock **comprises information that indicates a first value for a version number** that is equal to a value for a version number associated with the particular resource and is related to whether the particular resource has been updated;

receiving a request to commit the update to the particular resource;

determining whether a current value for the version number associated with the particular resource is equal to the first value for the version number indicated in the lock; and

if the current value for the version number is equal to the first value for the version number, then converting the lock to a different type of lock and committing the update.

Claims 37 and 38 are patentable over the art of record because Kavanaugh and Soltis, independently or combined, do not disclose, suggest or motivate at least the features of tying the commit of a resource update to whether a version number of the resource stored in a previously generated lock is different than the current version number, where the version number indicates whether the resource has been changed. Claims 39-44 recite limitations similar to Claim 37 and/or Claim 38, however, in different claim formats. Hence, Claims 39-44 are also patentable over the art of record.

CONCLUSION

For at least the reasons set forth above, Applicant submits that all of the pending claims (4, 6, 8-12, 14, 16 and 18-44) present patentable subject matter over the art of record, including that which was cited but not applied, and are in condition for allowance. Therefore, Applicant respectfully requests the Office to issue a timely Notice of Allowance in this case. If the Examiner has questions regarding this case, the Examiner is invited to contact Applicant's undersigned representative.

To the extent necessary, a petition for an extension of time under 37 C.F.R. §1.136 is hereby made. Please charge any shortages in fees due in connection with the filing of this paper, including extension of time fees, or credit any overages to Deposit Account No. 50-1302.

Respectfully submitted,
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CERTIFICATE OF MAILING

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on 3/4/04 by Clare Hung